

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application: Thomas R. Goodwin

Application no.: 09/755,371 <sup>317</sup>

Examiner: Mauro Jr., Thomas J.

Filed: January 5, 2001

Art Unit: 2143

For: NETWORK METHOD SYSTEM AND APPARATUS FOR RECORDING AND  
MAINTAINING RECORDS

DECLARATION PURSUANT TO RULE 1.131

NOW COMES the undersigned, Thomas R. Goodwin, and makes the following  
Declaration:

1. I am the inventor in the above application, Serial #09/755,371, and that, at all relevant times herein, I was a citizen and resident of North Carolina, and that all acts described in this Declaration took place in the United States.

2. Prior to June 29, 2000, I conceived of my invention and reduced it to practice, including a commercial version.

3. On February 2, 2000, I registered the domain name "www.planelog.com". Attached as Exhibit A is a printout showing the domain name "planelog.com" was registered on February 2, 2000. When I requested this domain name it was to be the site for my world wide network version of my invention. My network system comprising the commercial version of my invention operates at the "planelog.com" Web site and has done so since prior to June 29, 2000.

4. Prior to June 29, 2000, I purchased hardware, including a network server, so as to have the necessary equipment to begin offering "planelog.com" services. I developed the necessary software to offer the network service described and claimed in my application. Also, before June 29, 2000, after doing some online research myself regarding the patentability of my

invention, I consulted a patent lawyer and began to take the necessary steps to prepare and file a patent application. This included patent searches to determine if the invention would be patentable subject matter and if it had sufficient novelty to qualify under the substantive requirements for a patent. Prior to June 29, 2000, my invention was reduced to practice and operating on a trial basis. On May 15, 2000, I reserved space at the annual Experimental Aircraft Association Convention. This is a large trade show and I intended to offer for sale the services provided by the commercial version of my invention found at the domain name "planeolog.com" at this Convention. Attached as Exhibit B is a photocopy of the Contract dated May 15, 2000. Under the Products Service and Listing, the product that I would be presenting at a booth at this trade show was described as: "Service providing Internet based electronic backup of pilot logs and aircraft logs." I also requested that this matter be held in confidence as long as possible, since no patent application was yet filed.

5. Prior to June 29, 2000, I had prepared materials for the EAA Convention, including flyers, notebooks, and advertising materials, which described and advertised the services provided under my invention. I had reduced the invention to a practical business form before June 29, 2000 and was preparing to present to the industry at the EAA Convention and to accept orders for the network based log keeping services of my invention. Representative copies of materials prepared for the EAA Convention are attached as Exhibit C.

6. Also, prior to June 29, 2000, I engaged a patent lawyer to draft a patent application. Because the business was up and running and I was making changes in the operation of the program, revisions to the patent application were required. However, the patent lawyer and I worked on a regular ongoing basis to prepare a final patent application until its filing date of January 5, 2001.

The Declarant being warned that willful, false statements and the like so made are punishable by fine, imprisonment or both under Section 1001 of Title 18 of the United States Code declares that all statements above are true except those statements that are made on information and belief, and, as to those statements, he believes them to be true.

This the 15 day of Feb, 2005.

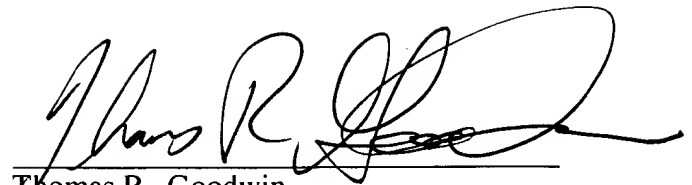
  
Thomas R. Goodwin



Exhibit A

**planetlog.com**

Whois Server Version 1.3

Domain names in the .com and .net domains can now be registered with many different competing registrars. Go to <http://www.internic.net> for detailed information.

Domain Name: PLANELOG.COM  
Registrar: DOMAIN BANK, INC.  
Whois Server: rs.domainbank.net  
Referral URL: <http://www.domainbank.net>  
Name Server: DNS2.RDUONLINE.COM  
Name Server: DNS1.RDUONLINE.COM  
Name Server: DNS3.RDUONLINE.COM  
Status: REGISTRAR-LOCK  
Updated Date: 05-nov-2004  
Creation Date: 02-feb-2000  
Expiration Date: 02-feb-2005

&gt;&gt;&gt; Last update of whois database: Thu, 27 Jan 2005 07:43:36 EST &lt;&lt;&lt;

NOTICE: The expiration date displayed in this record is the date the registrar's sponsorship of the domain name registration in the registry is currently set to expire. This date does not necessarily reflect the expiration date of the domain name registrant's agreement with the sponsoring registrar. Users may consult the sponsoring registrar's Whois database to view the registrar's reported date of expiration for this registration.

TERMS OF USE: You are not authorized to access or query our Whois database through the use of electronic processes that are high-volume and automated except as reasonably necessary to register domain names or modify existing registrations; the Data in VeriSign Global Registry Services' ("VeriSign") Whois database is provided by VeriSign for information purposes only, and to assist persons in obtaining information about or related to a domain name registration record. VeriSign does not guarantee its accuracy. By submitting a Whois query, you agree to abide by the following terms of use: You agree that you may use this Data only for lawful purposes and that under no circumstances will you use this Data to: (1) allow, enable, or otherwise support the transmission of mass unsolicited, commercial advertising or solicitations via e-mail, telephone, or facsimile; or (2) enable high volume, automated, electronic processes that apply to VeriSign (or its computer systems). The compilation, repackaging, dissemination or other use of this Data is expressly prohibited without the prior written consent of VeriSign. You agree not to use electronic processes that are automated and high-volume to access or query the Whois database except as reasonably necessary to register domain names or modify existing registrations. VeriSign reserves the right to restrict your access to the Whois database in its sole discretion to ensure operational stability. VeriSign may restrict or terminate your access to the Whois database for failure to abide by these terms of use. VeriSign reserves the right to modify these terms at any time.

The Registry database contains ONLY .COM, .NET, .EDU domains and Registrars.

**CLOSE WINDOW**

New

2000

# 48th ANNUAL INTERNATIONAL

Exhibit B

EAA CONVENTION AND SPORT AVIATION EXHIBITION  
Wittman Regional Airport, Oshkosh, Wisconsin • July 26 thru August 1, 2000

**ADVENTURE**  
OSH KOSH • 2000

## EXHIBITOR CONTRACT

Return white, yellow and pink  
copies with full payment to:  
EAA - Accounts Receivable  
3000 Poberatzky Rd.  
P.O. Box 3086  
Oshkosh, WI 54903-3086

Date May 15, 2000

Please Print or Type

Company Name JDI, Inc. E-Mail Address jdiinc@wilmington.net  
(As it will appear on refund checks)

D/B/A Aviation Log Services  
(Print or type company name as it will appear in the program book and on correspondence)

Company Representative Thomas Goodwin Title President

Company Address 1601 S. College Rd. Telephone (910) 791-1855

City Wilmington State NC Zip Code 28403

Signature Thomas R. Goodwin Fax (910) 313-1857

### READ THE REVERSE SIDE BEFORE SIGNING THIS AGREEMENT

We hereby agree to occupy and pay for exhibition space at the 48th Annual EAA Convention and Sport Aviation Exhibition, to be held at Wittman Regional Airport, Oshkosh, Wisconsin, July 26 thru August 1, 2000 as follows:

	Number of Spaces	1st Choice	Booth/Space Number(s)	2nd Choice	3rd Choice	Amount
Indoor Buildings	<u>1</u>					\$ <u>1675.00</u>
Outdoor (Combo)						\$
Fly Market						\$
Ultralight Display						\$
Aircraft Display						\$

2067

Location \_\_\_\_\_  
(North Aircraft Display or Main Aircraft Display.)

How many aircraft will be in your display? \_\_\_\_\_  
Qty.

Clean-Up/Early Departure Deposit (refundable after Convention) \$ 150.00

\* Aircraft Static Display (one space per unit, e.g. tent, 1- aircraft). Please diagram preferred arrangement of aircraft, tent, etc. within the perimeter of requested number of spaces.

Total Exhibit Rental \$ 1825.00

Form of Payment Cashier's check  
(check, money order, etc.)

**PAYMENT TERMS:** Full payment must accompany this contract. Make checks payable to EAA. No refunds of deposit will be made after April 1, 2000. Any space not claimed by 12:00 noon of the day preceding the Convention may be reassigned without refund.

**DECEMBER 15, 1999** Deadline for EAA Oshkosh '99 Exhibitors to receive priority rating on exhibit space.  
CERTIFIED CHECK OR MONEY ORDER REQUIRED AFTER APRIL 1, 2000.

### DO NOT ASSUME YOU HAVE A SPACE.

You have not received a space unless and until you receive a copy of your contract with an EAA authorized signature.

### PRODUCT/SERVICE LISTING

Products which no exhibitor may sell or distribute include camping supplies, flying objects (e.g. any type of kite, balloon, balsa or model airplane, toys that shoot, fling or are otherwise operated by rubberbands), any type of motorized minibike, skateboard or scooter, food and drink. No solicitation or sales of CREDIT CARDS, no sales or rental of video tape recorders or movie cameras, film and supplies.  
List in detail the products and/or services you plan to sell. No other products will be allowed in your exhibit space.

Service providing Internet-based electronic back-up of Pilot Logs and Aircraft Logs

Please hold in confidence as long as possible.  
Thank you TG

Exhibitor shall conform with the terms and conditions shown on the reverse side of this contract, the Exhibitor Service Manual and Exhibitor Bulletins.

The above application is hereby accepted by the Experimental Aircraft Association and the following space has been assigned:

Indoor Space No.(s) 2067 Fly Market Space No.(s) \_\_\_\_\_

Ultralight Display Space No.(s) \_\_\_\_\_ Aircraft Display Space No.(s) \_\_\_\_\_

EAA Authorized Signature Rebecca R. Bork Date June 13, 2000

### FOR OFFICE USE ONLY

Chk # 8603458 Aml 4811 IN 4812 OU TAP  
Date 5/24/00 ACK 2011 4822 A/R

OFFICE COPY - WHITE    OFFICE COPY - YELLOW    INSURANCE COPY - PINK    EXHIBITOR COPY - GOLDENROD





Quote# 15336

Date 6/22/2000

TO: JDI INC

Description: BINDER PAGES 1/0

*Large*

Fax

Paper Type	CUT	Flat Size	8.5X11
Paper Desc	CLASSIC COTTON	Finished Size	8.5X11
Paper Weight	28	Film	OURS
Paper Color	SOLAR WHITE	Fold/Bindery	DRILL
Ink Color	1PMS		

QUANTITY	2500	5000	7500
PMS INK CHARGE	32.50	32.50	32.50
PREPRESS SETUP	15.00	15.00	15.00
PAPER & PRODUCTION	328.22	567.83	807.44
PRICE/1000	150.29	123.07	113.99
TOTAL PRICE	\$375.72	\$615.33	\$854.94

THIS QUOTATION, AS DESCRIBED, IS VALID FOR 30 DAYS FROM THE ABOVE DATE. WE THANK YOU FOR THIS OPPORTUNITY TO BE OF SERVICE AND LOOK FORWARD TO YOUR ORDER.

*Sincerely,*

**committed to quality**

503 covil avenue  
wilmington, nc 28403  
fax 910.763.5184

Introducing...  
the 1st Web-based Log System for Aircraft and Pilots!

# PlaneLog.com



**Aircraft & Pilot Logs**

**Flying into the 21st Century!**

## **Highlights:**

- Digital Database for Aircraft & Pilots
- Ownership History
- Components' and Pilot Reminders
- AD's and Service Bulletin List
- Cost Summaries

## **Benefits:**

- Secure access - password protected
- Readable
- Searchable/Sortable
- Retrievable World-wide
- No software to install
- No lost logbooks

## **Uses:**

- Preserve Aircraft Value
- Enhance Aircraft Safety
- Reveal Logs to Potential Buyers
- Maintain Currency



**Data Input services available!**